FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LATTERS PATENT APPEAL NO.295 OF 2005
ALONG WITH
CIVIL APPLICATION NO.112 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	: : : : :	Court's or Judge's Orders

Mr. R.S. Apte with Mr. M.V. Limaye for the appellants.

CORAM: SMT. RANJANA DESAI &
D.B. BHOSALE, JJ.

DATED: 16TH JANUARY, 2006.

P.C.:-

1. The appellants' writ petition was disposed of by the learned single judge of this court by the impugned order dated 27/4/2005 by holding that a statutory remedy is available to the petitioner and, hence, writ petition under Article 226 or 227 of the Constitution of India need not be entertained. Liberty was granted to the appellants to file an appeal under

section 247 of the Maharashtra Land Revenue Code, 1966. Appeal against such an order cannot be entertained. Appeal is dismissed. However, if the appellants adopt the alternate remedy in the peculiar facts and circumstances, the concerned authority shall entertain the said proceedings without entering into the aspect of limitation and shall deal with it independently.

2. In view of the dismissal of the appeal, Civil Application No.112 of 2005 does not survive and is disposed of as such.

(SMT. RANJANA DESAI, J.)

(D.B. BHOSALE, J.)